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AT 8:30 _____ M
WILLIAM T. WALSH
CLERK

May 4, 2011

VIA FACSIMILE

Honorable Douglas E. Arpert, U.S.M.J.
U.S. District Court for the District of New Jersey
Clarkson S. Fisher Federal Bldg. & U.S. Courthouse
402 E. State Street
Trenton, NJ 08608
Facsimile: 609-989-0451

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MAY 05 2011

DOUGLAS E. ARPERT
U.S. MAGISTRATE JUDGE

Re: *V. Mane Fils S.A. v. International Flavors & Fragrances Inc.*
Civil Action No. 06-2304 (FLW)(DEA)

Dear Magistrate Judge Arpert:

Following up on the conference on April 29, 2011, the parties submit the following list of fully-briefed motions that were administratively terminated by Judge Wolfson on August 24, 2010 (see Dkt. No. 251) and need to be restored to the Court's docket. The parties respectfully ask that their summary judgment motions be scheduled for oral argument at the earliest possible date.

A. Motions Filed by IFF:

- 1) Motion for Summary Judgment of Invalidity or, in the Alternative, Lack of Willfulness (Dkt. No. 157)
- 2) Motion for Partial Summary Judgment of Non-Infringement (Dkt. No. 161)
- 3) Motion for Summary Judgment With Respect to Counts II through VII (Dkt. No. 176)
- 4) Motion to Strike the Declaration of Jean M. Mane in Opposition to IFF's Motion for Partial Summary Judgment of Non-Infringement (Dkt. No. 217).

B. Motions Filed by Mane:

- 1) Motion for Summary Judgment on "Cooler 1" Infringement, or in the Alternative for an Order Precluding Defendant from Offering Evidence, Arguments, or Contentions of Non-Infringement (Dkt. No. 167)

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- 2) Motion to Exclude the Expert Testimony of Daniel M. McGavock under Fed. R. Evid. 702 and 703 and Fed. R. Civ. P. 26 (Dkt. No. 170)
- 3) Motion for Summary Judgment on IFF's Affirmative Defense of Inequitable Conduct (Dkt. No. 172)
- 4) Motion for Sanctions based upon Spoliation of Evidence by IFF and Allowing a Negative Inference in Connection with Consideration of the Evidence on Summary Judgment and for all other Proceedings (Dkt. No. 174)
- 5) Motion for Partial Summary Judgment as to the Literal Falsity of Defendant's Advertising (Dkt. No. 179)
- 6) Motion to Exclude Expert Testimony of Andrew W. Carter under Fed. R. Evid. 702 and 703 and Fed. R. Civ. P. 26 (Dkt. No. 182)
- 7) Motion to Exclude the Expert Testimony of Harry T. Lawless under Fed. R. Evid. 702 and 703 and Fed. R. Civ. P. 26 (Dkt. No. 186)
- 8) Motion to Supplement the Record for each of the pending Summary Judgment motions filed by the parties in light of the PTO's Confirmation of the Validity of the Patents-in-suit and Termination of IFF's ex parte Re-examinations (Dkt. No. 240).

There are a number of supporting, opposing and reply memoranda and other documents concerning these motions. If Your Honor would like the parties to identify those papers as well, we would be happy to do so. John T. Wolak, Esq., on behalf of Mane, has reviewed this letter and agreed to its contents.

Respectfully submitted,



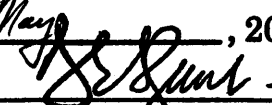
Richard H. Brown

cc: John T. Wolak, Esq. (Via Facsimile)

*-the motions filed under dkt. entry nos. 157, 161, 167, 170, 172, 174, 176,
179, 182, 186, 217, 240*

Shall be relisted and made returnable June 6, 2011.

-the parties shall provide courtesy copies of all briefs, exhibits, certifications, etc. (all motion papers), both in support and in opposition to the motions, to the Court by Friday, May 13, 2011.

So Ordered this 5th day
of May, 2011

Douglas E. Arpert, U.S.M.J.